



Central Falls Police Department
Investigative Report

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05/24/2019

Case #: 19-7-IA

Date/Time Reported: 04/11/2019 @ 1600
Report Date/Time: 04/11/2019 @ 1600

Complaint Type: Civilian
Disposition: Unfounded

Reporting Officer: [REDACTED]

Signature: _____

OFFENSE(S)

A/C TITLE/CHAP SECTION

LOCATION TYPE: Residence/Home/Apt./Condo Zone: ZONE 2
41 CLAREMONT ST
CENTRAL FALLS RI 02863

1 RULES AND REGS UNSATISFACTORY PERFORMANCE
OCCURRED: 04/10/2019 1350

C II 42

VICTIM(S)

SEX RACE AGE SSN PHONE

1 RESTREPO, ALEJANDRA
CLAREMONT ST
CENTRAL FALLS RI 02863
DOB: NOT AVAIL

F W 00 NOT AVAIL 401-688-[REDACTED]

CONTACT INFORMATION:

Home Phone (Primary) 401-688-[REDACTED]

ETHNICITY: Hispanic

RESIDENT STATUS: Resident

VICTIM CONNECTED TO OFFENSE NUMBER(S): 1

RELATION TO: DICARLO NICHOLAS

Stranger

OFFICER(S)

SEX RACE AGE SSN PHONE

1 [REDACTED]
160 ILLINOIS ST
CENTRAL FALLS RI 02863

M W [REDACTED] NOT AVAIL 401-727-[REDACTED]

CONTACT INFORMATION:

Home Phone (Primary) 401-727-[REDACTED]

BODY: NOT AVAIL.

DOB: [REDACTED] 1989

LICENSE NUMBER: [REDACTED]

COMPLEXION: NOT AVAIL.

PLACE OF BIRTH: NOT AVAIL.

ETHNICITY: NOT HISPANIC

EMPLOYER/SCHOOL: CENTRAL FALLS POLICE DEPT

Attachments for 19-7-IA

Description

COMPLAINT AND DISPATCH LOG

Attachment#: 7AB0A3C134A841D0B3D425F9E7CD51

Type

PDF

Central Falls Police Department
PERSONNEL NARRATIVE FOR [REDACTED]

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Ref: 19-7-IA

Entered: 04/17/2019 @ 1009

Entry ID: CAR

Modified: 04/17/2019 @ 1045

Modified ID: CAR

Approved: 04/17/2019 @ 1045

Approval ID: CAR

On 4/17/19 I received a citizen complaint from Alejandra Restrepo of [REDACTED] Claremont Street regarding the handling of a check the well-being call. Restrepo completed the complaint form stating the incident in question took place on 4/9/19 at 1350Hrs and no officer responded to her complaint. A check of the dispatch log shows no such call from that date or time, but does show an identical call from 4/10/19 at approximately the same time. The call #19-7840 matches all the facts Restrepo placed on her form.

At 1000Hrs I placed a call to Restrepo and first asked if she was sure about the date and time and if she made more than one call. She advised me she only made one call, and might be off on the date she assured me it was a Wednesday. This matches the log. I advised her I was looking into her complaint and based on the call logs officers responded and spoke with the party she was reporting and found no odor of marijuana. I then advised her of the exact times the call was logged 1405Hrs and officers were sent at 1425 and arrived at 1428 and cleared at 1436Hrs. She then advised me she was not there at that time and only going on what her father said and he didn't notice the police come or go. Restrepo asked if officers spoke with the 3rd floor which they did. She then apologized. I asked her if this satisfied her complaint and she advised me it did.

Based on call #19-7840 the responding officer [REDACTED] conducted a proper investigation based on the facts stated to dispatch and what Restrepo placed on her form. This call was handled properly and the complaint is unfounded.



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Case #: 19-5-IA

Date/Time Reported: 03/25/2019 @ 1130
Report Date/Time: 04/02/2019 @ 1401
Occurred Between: 03/25/2019 @ 1042
And: 03/25/2019 @ 1130
Complaint Type: Civilian
Disposition: Not Sustained

Reporting Officer: [REDACTED]

Signature: _____

OFFENSE(S)

A/C TITLE/CHAP SECTION

LOCATION TYPE: Government/Public Building Zone: ZONE 1
CENTRAL FALLS POLICE DEPARTMENT
160 ILLINOIS ST
CENTRAL FALLS RI 02863

1 COURTESY

OCCURRED: 03/25/2019 1042

C II 7(A)

2 QUESTIONS OF CITIZENS

OCCURRED: 03/25/2019 1042

C II 74(A)

VICTIM(S)

SEX RACE AGE SSN PHONE

1 LABREE, LISA

[REDACTED] BROAD ST
PROVIDENCE RI 02903

DOB: NOT AVAIL

CONTACT INFORMATION:

Home Phone (Primary) 401-954-[REDACTED]

ETHNICITY: Not of Hispanic Origin

RESIDENT STATUS: Non Resident

VICTIM CONNECTED TO OFFENSE NUMBER(S): 1 2

RELATION TO: [REDACTED]

Stranger

OFFICER(S)

SEX RACE AGE SSN PHONE

1 [REDACTED]

160 ILLINOIS ST
CENTRAL FALLS RI 02863

CONTACT INFORMATION:

Home Phone (Primary) 401-475-[REDACTED]

Home Phone (Primary) 401-727-[REDACTED]

Cell Phone (Primary) 401-533-[REDACTED]

Work Phone (Primary) 401-727-[REDACTED]

BODY: NOT AVAIL.

DOB: [REDACTED] 1977

LICENSE NUMBER: [REDACTED]

COMPLEXION: NOT AVAIL.

PLACE OF BIRTH: NOT AVAIL.

ETHNICITY: HISPANIC

[APPEARANCE]

GLASSES WORN: NO

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Case #: 19-5-IA

#	OFFICER(S)	SEX	RACE	AGE	SSN	PHONE
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EMPLOYER/SCHOOL: CENTRAL FALLS POLICE - 401-727-
160 ILLINOIS ST
CENTRAL FALLS RI 02863

#	OTHER PROPERTIES	SUSPECT #	ORIGIN	QUANTITY
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1	DVD OF LOBBY SURVEILLANCE VIDE Property #: 19-144-PR	1	Lobby Surveillance System	1
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Case #: 19-5-IA

CONFIDENTIAL PERSON REPORT

#	PERSON(EN)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	LABREE, LISA BORAD ST PROVIDENCE RI 02903	COMPLAINANT	F	U			

Attachments for 19-5-IA

Description	Type
INVESTIGATION CONCLUSION LETTER TO LABREE Attachment#: 2929C733801140A5A9F86DB512CCBFF5	PDF
CALL #19-6538 Attachment#: 2BEE2B4271164A6E89334587FFB9FCEF	PDF
CITIZEN COMPLAINT FORM FROM LISA LABREE Attachment#: 6032BF69974548DB819C5EBEE0A5A202	PDF
STATEMENT FROM [REDACTED] Attachment#: 942EF58B1A5F4901B991BE562C38C6CF	PDF
COMPLAINT CONFIRMATION LETTER TO MS. LABREE Attachment#: CD78C1CA06234AAFAF21BB83CED7EAF0	PDF

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Case #: 19-5-IA

On 03/25/2019 a Central Falls Police Department Citizen Complaint form was submitted to the Office of Professional Standards and Training by Ms. Lisa LaBree in regards to officer conduct on 03/25/2019. The complaint did not list a time or location, but based on the search of a call log it appears the complaint against Badge [REDACTED] is with respect to a walk-in requesting to speak with an Officer regarding an incident at Storage America (call #19-6538) which occurred on this date at 1042 hours. The complaint was signed by Ms. LaBree and alleged [REDACTED] (Badge [REDACTED]) dismissed her alleged complaint regarding a potential matter involving her Storage America account, refusing to look into the matter and "basically said I'm crazy in the head."

On 04/01/2019, [REDACTED] was reassigned to Training out of state and the case was transferred to [REDACTED] for further investigation.

On 04/02/2019, a typed letter regarding receipt of the complaint and the initiation of the investigation was sent to Ms. LaBree at the address provided on the complaint form, [REDACTED] Broad Street, Providence, RI 02903. A copy of the letter date April 1, 2019 and the envelope were uploaded into this report as an attachment. At approximately 1400 hours, I spoke with IT Administrator, Christopher Cavallaro, and requested he pull the video and audio from the lobby surveillance system on 03/25/19 with respect to call #19-6538. At approximately 1624 hours on 04/02/2019, I, [REDACTED], attempted to contact Ms. LaBree using the cellular telephone number she provided on the complaint form (401-954-[REDACTED]). I received no answer and left a message to call back regarding the complaint.

On 04/03/2019, I obtained a DVD from the IT Administrator containing the lobby surveillance video and audio of all interactions with Ms. LaBree by Central Falls Police Department personnel.

Facts:

On 03/25/2019, Ms. Lisa LaBree came into the Central Falls Police Department at approximately 1042 hours to speak with an officer in regards to unauthorized access to her Storage America billing account (refer to call #19-6538). Ms. LaBree was met by [REDACTED] (Badge [REDACTED]) in the lobby of the Central Falls Police Department where a discussion in regards to the concerns of Ms. LaBree was discussed. [REDACTED] after having prior knowledge of the issue from a phone call from Storage America informed Ms. LaBree there was no criminal act as someone paid for her storage unit for two months and did not defraud her or Storage America. [REDACTED] informed Ms. LaBree any issues she has with the business practices of Storage America was a civil matter, not a criminal matter. A further discussion took place with Ms. LaBree in the lobby and [REDACTED] speaking from behind the Communications Center leading to a Citizen Complaint being filed on the same date by Ms. LaBree. This complaint was forwarded to [REDACTED] by [REDACTED] on the same date.

Synopsis of Ms. Lisa LaBree's Complaint Statement:

Ms. LaBree alleged in her complaint, "He said no crime was committed and it was all in my head, that I imagined it." Ms. LaBree stated she felt insulted by the comment.

Synopsis of [REDACTED] Statement:

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PERSONNEL NARRATIVE FOR [REDACTED]

Ref: 19-5-IA

Entered: 04/02/2019 @ 1407

Entry ID: JT

Modified: 05/24/2019 @ 1311

Modified ID: JT

Approved: 04/05/2019 @ 1215

Approval ID: JT

On 04/05/2019, [REDACTED] completed a written statement upon my request in regards to the events that transpired on 03/25/2019 involving Ms. LaBree. [REDACTED] stated he was dispatched to the lobby of the Central Falls Police Department at 1042 hours on 03/25/2019 in regards to a civil issue involving Storage America. [REDACTED] met Ms. LaBree who stated she located two months of pre-payments on her storage account and wished to file a complaint for unauthorized access to her account. [REDACTED] stated he advised her it was a civil matter and she began to theorize the possibility of someone getting access to her bank accounts. [REDACTED] stated he advised her again no crime had been committed and informed her that her theories were not enough to surmise a crime. [REDACTED] alleged Ms. LaBree became irate and believed he was calling her "crazy".

Review of Lobby Surveillance of the Central Falls Police Department:

On 04/03/2019, I, [REDACTED] viewed the surveillance footage from the lobby of the Central Falls Police Department, where the entire interaction with Ms. LaBree and Central Falls Police personnel took place on 03/25/2019. At no time during the encounter did [REDACTED] call Ms. LaBree "crazy" or use an insulting or derogatory tone. At the 4:57 mark of the video, [REDACTED] states "there's no crime, you're making stuff up in your mind." [REDACTED] says this statement after Ms. LaBree attempts to equate her complaint to unauthorized access to her personal bank account, which had not occurred. Ms. LaBree remains in the lobby for an approximate total of 30 minutes based on the surveillance video and repeatedly voices how upset she is and how nobody will listen to her complaint with respect to the gift to her Storage America account.

Telephone conversation with Ms. LaBree:

On 04/04/2019 at approximately 0913 hours, Ms. LaBree contacted me on my direct line at the Central Falls Police Department (401-616-[REDACTED]). Ms. LaBree stated she had received my message left on 04/02/2019 and was returning my call in regards to the 03/25/2019 incident. Ms. LaBree explained the payments made on her account at Storage America and the concerns she had about unauthorized access to the account as well as the potential the payment may have been applied in error or by means of a stolen credit card or stolen funds. After listening to Ms. LaBree's concerns, I informed her based on all the information provided, [REDACTED] was correct in the fact a crime has not taken place. I also explained to Ms. LaBree if the card was stolen that was used to pay the account, Storage America would be the complainant as they would be the defrauded party. I also explained to Ms. LaBree she is not culpable for any crimes in relation to the payment if one were to arise, as she did not make the payment herself. Ms. LaBree stated she was relieved to hear this and that was her main concern. Ms. LaBree stated with respect to [REDACTED], she felt he could've been more understanding and didn't need to "imply I'm crazy." Ms. LaBree stated she no longer wished to move forward with her Citizen Complaint and did not wish to come in for a formal interview.

Findings:

With respect to this investigation, surveillance video was reviewed prior to the complainant returning a telephone call to the Office of Professional Standards and Training. Ms. LaBree after a lengthy conversation with [REDACTED] on 04/04/2019 with regards to the civil matter involving Storage American and the alleged incident at the Central Falls Police Department stated she no longer wished to pursue a complaint. As a result of not being able to gather any additional information on the matter from Ms. LaBree, with respect to charges 1-2, I find no evidence based on the surveillance video of [REDACTED] calling or implying Ms.

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PERSONNEL NARRATIVE FOR [REDACTED]

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Ref: 19-5-IA

Entered: 04/02/2019 @ 1407

Entry ID: JT

Modified: 05/24/2019 @ 1311

Modified ID: JT

Approved: 04/05/2019 @ 1215

Approval ID: JT

LaBree was "crazy". [REDACTED] based on the video was courteous and answered questions posed to him, however, the answers appeared to not be to the liking of Ms. LaBree. [REDACTED] did make the state "there's no crime; you're making stuff up in your mind," however, based on the totality of the video and the statements, [REDACTED] only said this in response to the hypotheticals being posed by Ms. LaBree and not in response to the civil matter he had already discussed.

1. **Rules and Regulations, Chapter II, Section 7 (a) COURTESY:** In which it was alleged on March 25th, 2019, [REDACTED] was not courteous to a member of the public and shall be tactful in the performance of his duties, shall control his temper, exercise the utmost patience and discretion, and shall not engage in argumentative discussions even in the face of extreme provocation. **NOT SUSTAINED**
2. **Rules and Regulations, Chapter II, Section 74 (a) QUESTIONS OF CITIZENS:** In which it was alleged on March 25th, 2019, [REDACTED] did not answer questions from citizens in a courteous manner. **NOT SUSTAINED**



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Case #: 19-4-IA

Date/Time Reported: 02/14/2019 @ 1000
Report Date/Time: 04/01/2019 @ 1008
Occurred Between: 02/14/2019 @ 1000
And: 02/14/2019 @ 1007
Complaint Type: Civilian
Disposition: Not Sustained

Reporting Officer: [REDACTED]

Signature: _____

#	OFFENSE(S)	A/C	TITLE/CHAP	SECTION
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LOCATION TYPE: Highway/Road/Alley/Street Zone: ZONE 1
548 DEXTER ST
CENTRAL FALLS RI 02863

1	COURTESY			
	OCCURRED: 02/14/2019 1000	C	II	7 (A)
2	OBEEDIENCE TO RULES AND REGULATIONS			
	OCCURRED: 02/14/2019 1000	C	II	2 (A)
3	VIOLATION OF FIELD INTERVIEWS POLICY			
	OCCURRED: 02/14/2019 1000	C	220	06

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
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1	DUNHAM, DAVID C CURRAN RD CUMBERLAND RI 02864 DOB: [REDACTED] 1971 CONTACT INFORMATION: Home Phone (Primary) 401-332-[REDACTED] Home Phone 401-UNK-NOWN ETHNICITY: Not of Hispanic Origin RESIDENT STATUS: Non Resident VICTIM CONNECTED TO OFFENSE NUMBER(S): [REDACTED] RELATION TO: [REDACTED] RELATION TO: [REDACTED]	M	W	[REDACTED]	[REDACTED]	401-332-[REDACTED]
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#	OFFICER(S)	SEX	RACE	AGE	SSN	PHONE
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1	[REDACTED] 160 ILLINOIS ST CENTRAL FALLS RI 02863 CONTACT INFORMATION: Home Phone (Primary) 401-727-[REDACTED] BODY: NOT AVAIL. DOB: [REDACTED] 1989 LICENSE NUMBER: [REDACTED] COMPLEXION: NOT AVAIL. PLACE OF BIRTH: NOT AVAIL. ETHNICITY: NOT HISPANIC EMPLOYER/SCHOOL: CENTRAL FALLS POLICE DEPT 160 ILLINOIS ST CENTRAL FALLS RI 02863	M	W	[REDACTED]	NOT AVAIL	401-727-[REDACTED]
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#	OFFICER(S)	SEX	RACE	AGE	SSN	PHONE
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2	[REDACTED] 160 ILLINOIS ST CENTRAL FALLS RI 02863	M	W	[REDACTED]	NOT AVAIL	401-727-[REDACTED]
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CONTACT INFORMATION:

Home Phone (Primary) 401-727-[REDACTED]
Home Phone 401-516-[REDACTED]

BODY: NOT AVAIL.

DOB: [REDACTED] 1997

LICENSE NUMBER: [REDACTED]

COMPLEXION: NOT AVAIL.

PLACE OF BIRTH: NOT AVAIL.

ETHNICITY: HISPANIC

EMPLOYER/SCHOOL: CENTRAL FALLS PD
160 ILLINOIS ST
CENTRAL FALLS RI 02863

#	CALL(S)	NUMBER	PLACED TO	ORIGINATED BY	MIN
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1	04/01/2019 @ 1414	401-332-[REDACTED]	David Dunham	[REDACTED]	1
2	04/11/2019 @ 1445	401-332-[REDACTED]	David Dunham	[REDACTED]	5

Attachments for 19-4-IA

Description

Description	Type
REPORT OF INCIDENT 19-2-FI	PDF
Attachment#: 1F611C7FD709470698A8740C09822DAE	PDF
CITIZEN COMPLAINT FORM FILED BY MR. DUNHAM	PDF
Attachment#: 3131DB7B2F6C45E4876333B53527EB9B	PDF
GENERAL ORDER 220.06 SIGN OFF	PDF
Attachment#: 4BE4F025339040BEB894BACFD6973048	PDF
CALL # 19-3382	PDF
Attachment#: 4CF91169C4DA47FA82CE8860F647BCC1	PDF
FIELD INTERVIEW POLICY - G.O #220.06 - ISSUED 01/04/2019	PDF
Attachment#: A4AB1EBED7274494BB36FDEE3DA675DA	PDF
RECEIPT OF COMPLAINT LETTER TO MR. DUNHAM	PDF
Attachment#: AF78CF0899F3464197BEF65C89DB031F	PDF

Central Falls Police Department

PERSONNEL NARRATIVE FOR [REDACTED]

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Ref: 19-4-IA

Entered: 04/01/2019 @ 1311

Entry ID: JT

Modified: 05/20/2019 @ 1250

Modified ID: JT

Approved: 05/10/2019 @ 1339

Approval ID: JT

On 02/14/2019, a Central Falls Police Department Citizen Complaint form was submitted to the Office of Professional Standards and Training by David Clifford Dunham in regards to officer conduct on 02/14/2019 at approximately 1000 hours. The complaint was signed by Mr. Dunham and alleged [REDACTED] (Badge [REDACTED]) grabbed him "from the back and threw" him "face first into a fence."

On 04/01/2019, [REDACTED] was reassigned to Training out of state and the case was transferred to me for further investigation. At approximately 1414 hours on 04/01/2019, I, [REDACTED] attempted to contact Mr. Dunham using the cellular telephone number he provided on the complaint form (401-332-[REDACTED]). I received no answer and left a message to call back regarding the complaint.

On 04/02/2019, a typed letter regarding receipt of the complaint and the initiation of the investigation was sent to Mr. Dunham at the address provided on the complaint form, [REDACTED] Curran Road, Cumberland, RI 02864. A copy of the letter date April 1, 2019 and the envelope were uploaded into this report as an attachment.

On 04/11/2019 at 1445 hours, I, [REDACTED] made contact with David Dunham via the cell phone provided on the complaint. Mr. Dunham stated he felt like he was grabbed unnecessarily and wished to move forward with the complaint. Mr. Dunham stated he was "walking and was just grabbed and pushed." Mr. Dunham stated he cannot come in during the week due to work and requested an interview for the weekend. An interview was set for April 20, 2019 at 1300 hours at the Central Falls Police Department.

The interview for April 20, 2019 was cancelled. Mr. Dunham could not be reached to reschedule. On May 8, 2019, Mr. Dunham was arrested by our agency for 2 counts of breaking and entering with felonious intent (refer to 19-290-AR). Mr. Dunham did not wish to speak with officers in depth and he was subsequently held as a violator on 2 previous breaking and entering cases.

Facts:

On 02/14/2019 at approximately 1000 hours, [REDACTED] reported he received a telephone call from [REDACTED] advising him he had observed a male who fit the description of a breaking and entering suspect in the area of Dexter Street and Garfield Street. [REDACTED] and his trainee responded to the area and encountered the male matching the description, Mr. Dunham. Mr. Dunham was alleged to have refused to stop for officers. Mr. Dunham was briefly detained and patted for weapons and was released with no charges (refer to 19-2-FI). The detention of Mr. Dunham lasted approximately 12 minutes. The Field Interview Policy, General Order 220.06, was reviewed and signed off by [REDACTED] on 01/06/2019 and by [REDACTED] on 01/23/2019.

Synopsis of Mr. David Dunham's complaint and statement over the telephone on 04/11/2019

Mr. Dunham alleged he was walking when all of sudden he was stopped and shoved into a fence without provocation. Mr. Dunham stated on his complaint form, "Officer grabbed me from the back and threw me face first into a fence." In a telephone interview on 04/11/2019, Mr. Dunham stated he was "just walking and was just grabbed and pushed" by the officers. Mr. Dunham was not sure which officer pushed him and stated he reported it because he felt it was "unnecessary."

Police Narrative for [REDACTED] #38 (19-2-FI)

Central Falls Police Department

PERSONNEL NARRATIVE FOR [REDACTED]

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Ref: 19-4-IA

Entered: 04/01/2019 @ 1311

Entry ID: JT

Modified: 05/20/2019 @ 1250

Modified ID: JT

Approved: 05/10/2019 @ 1339

Approval ID: JT

On Thursday February 14, 2019 at approximately 10:00 a.m., [REDACTED] told me that [REDACTED] observed two males going in and out businesses on Dexter Street and one of the males fit the description of the suspect in several recent breaking and enterings in the city. The male was described as a light skinned male wearing red sweat pants, a brown or tan coat, and wearing white Adidas sneakers.

Once in the area I observed a male matching the description walking south on Dexter Street. I made contact with the male, later identified as, David C. Dunham DOB [REDACTED] 971 and asked him to speak with me. Dunham asked if he had committed a crime to which I replied "no" and he continued to walk. [REDACTED] at this time then exited cruiser #208 and attempted to detain Dunham who was walking away and not listening to verbal commands. I proceeded to speak with the male Dunham was walking with, identified as Joshua Alves DOB [REDACTED] 1988. I asked Alves why he and Dunham were going in and out of stores on Dexter Street and he showed me what appeared to be .50 cents and stated he was trying to buy something. Alves was identified and then sent on his way.

I returned to where [REDACTED] was speaking with Dunham. [REDACTED] had told Dunham that he was being detained and why. [REDACTED] conducted a status and BCI check of Dunham which revealed that he had a lengthy criminal record including breaking and enterings. After identifying and photographing Dunham he was sent on his way pending further investigation. Photographs are attached with the report.

Police Narrative for [REDACTED] (19-2-FI)

On February 14th 2019 at approximately 10:00 a.m. I, [REDACTED], received a telephone call from [REDACTED] advising me that there was a male who possibly fit the description of a suspect in several breaking and enterings in the area of Dexter Street and Garfield Street. [REDACTED] who was in an unmarked vehicle, also advised me that this male had just entered and exited a couple local businesses and could possibly be casing places to break in to. [REDACTED] described the male as a light skinned male wearing red sweatpants, a tan coat, and white Adidas sneakers. The suspect in the recent breaking and enterings has been seen wearing the same Adidas sneakers in surveillance footage. I communicated this to [REDACTED] who responded to the area.

Upon arriving in the area I viewed the male [REDACTED] described walking south on Dexter Street with another male. [REDACTED] attempted to detain the men who continued to walk by him and not listen to his commands. The suspect, later identified as David Dunham DOB [REDACTED] 71, then began to walk across Dexter Street in traffic. (The male he was walking with was identified Joshua Alves DOB [REDACTED] 88 and sent on his way.) I gave verbal commands for Dunham to stop and to come to my vehicle. He continued walking away and stated that he was not breaking any laws. I then headed toward Dunham who continued to walk away from me with his hands in his pockets. I then physically escorted Dunham and led him to a fence in front of Stanley's Restaurant on Dexter Street due to him continuing to ignore several verbal commands. I told Dunham to place his hands on the fence while I began to interview him. Dunham was pat searched for officer safety due to his conduct as well as the common use of dangerous items in the commission of breaking and enterings. Dunham stated that he had not committed any crimes and was upset about being stopped. I communicated to Dunham that he was currently being detained due to him matching the description of the suspect in several breaking and enterings in the area. Dunham, when asked where he was from, stated Cumberland and later stated that he was living in Woonsocket. He also stated that he was just shopping in the stores. When asked what he had purchased he said nothing and that he was trying to buy a single cigarette but the store did not sell them. [REDACTED] originally told me that Dunham had gone inside of the grocery store at the corner of Dexter Street and Garfield

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PERSONNEL NARRATIVE FOR [REDACTED]

Page: 3

Ref: 19-4-IA

Entered: 04/01/2019 @ 1311

Entry ID: JT

Modified: 05/20/2019 @ 1250

Modified ID: JT

Approved: 05/10/2019 @ 1339

Approval ID: JT

Street.

A status check and a check of Dunham's BCI came back that he has a lengthy criminal record that includes several breaking and enterings. [REDACTED] called me and advised me to take a field interview report of my encounter with Dunham. Photographs of Dunham were taken and entered with the report. Dunham was sent on his way pending any further investigation.

Findings:

With respect to this investigation, [REDACTED] stated he grabbed hold of Mr. Dunham and escorted him to a fence based on his potential involvement as a suspect in breaking and entering cases occurring in the city, his suspicious behavior observed on 02/14/2019, and his constant refusal to adhere to verbal commands and keep his hands visible. Mr. Dunham further admitted to officers he was attempting to purchase illegal cigarettes and stated that is why he was entering stores. The clothing attire worn on the day of this detention was also the same clothing attire worn by Mr. Dunham during his last breaking and entering resulting in his current detention. Based upon the report, the statements and this investigation, the temporary investigatory stop, detention, and Terry Pat were consistent with the best practices of this agency and were all within the scope and procedures of the agency's Field Interview Policy, General Order 220.06, effective date of March 20, 2013.

Officer DiCarlo Findings:

1. **Rules and Regulations, Chapter II, Section 7 (a) COURTESY:** In which it was alleged on February 14th, 2019, [REDACTED] was not courteous to a member of the public and shall be tactful in the performance of his duties, shall control his temper, exercise the utmost patience and discretion, and shall not engage in argumentative discussions even in the face of extreme provocation. **NOT SUSTAINED**
2. **Rules and Regulations, Chapter II, Section 2 (a) OBEDIENCE TO RULES AND REGULATIONS:** In which it was alleged on February 14th, 2019, [REDACTED] did not obey the Rules and Regulations of the Central Falls Police Department. **NOT SUSTAINED**
3. **Policy and Procedures, General Order 220.06 FIELD INTERVIEW POLICY:** In which it was alleged on February 14th, 2019, [REDACTED] violated the procedures for conducting a field interview and pat-down search. **EXONERATED**

Officer Rivera Findings:

1. **Rules and Regulations, Chapter II, Section 7 (a) COURTESY:** In which it was alleged on February 14th, 2019, [REDACTED] was not courteous to a member of the public and shall be tactful in the performance of his duties, shall control his temper, exercise the utmost patience and discretion, and shall not engage in argumentative discussions even in the face of extreme provocation. **NOT SUSTAINED**
2. **Rules and Regulations, Chapter II, Section 2 (a) OBEDIENCE TO RULES AND REGULATIONS:** In which it was alleged on February 14th, 2019, [REDACTED] did not obey the Rules and Regulations of the Central Falls Police Department. **NOT SUSTAINED**

Central Falls Police Department

PERSONNEL NARRATIVE FOR [REDACTED]

Page: 4

Ref: 19-4-IA

Entered: 04/01/2019 @ 1311

Entry ID: JT

Modified: 05/20/2019 @ 1250

Modified ID: JT

Approved: 05/10/2019 @ 1339

Approval ID: JT

3. Policy and Procedures, General Order 220.06 FIELD INTERVIEW POLICY: In which it was alleged on February 14th, 2019, [REDACTED] violated the procedures for conducting a field interview and pat-down search. **EXONERATED**

Central Falls Police Department
Investigative Report

Page: 3
05/24/2019

Case #: 18-14-IA

#	OFFICER(S)	SEX	RACE	AGE	SSN	PHONE
4	[REDACTED] 160 ILLINOIS ST CENTRAL FALLS RI 02863	M	W	[REDACTED]	NOT AVAIL	401-727-[REDACTED]

CONTACT INFORMATION:
Home Phone (Primary) 401-714-[REDACTED]
Work Phone (Primary) 401-727-[REDACTED]

BODY: NOT AVAIL.
DOB: [REDACTED] 1972
LICENSE NUMBER: [REDACTED]

COMPLEXION: NOT AVAIL.
PLACE OF BIRTH: NOT AVAIL.
ETHNICITY: NOT HISPANIC

EMPLOYER/SCHOOL: [REDACTED] - 401-727-[REDACTED]

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PERSONNEL NARRATIVE FOR [REDACTED]

Ref: 18-14-IA

Entered: 12/04/2018 @ 1027

Entry ID: CH

Modified: 01/11/2019 @ 1334

Modified ID: CH

Approved: 12/17/2018 @ 1502

Approval ID: CH

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PERSONNEL NARRATIVE FOR [REDACTED]
Ref: 18-14-IA

Page: 2

Entered: 12/04/2018 @ 1027

Entry ID: CH

Modified: 01/11/2019 @ 1334

Modified ID: CH

Approved: 12/17/2018 @ 1502

Approval ID: CH

On 11/01/2018, [REDACTED] ordered an investigation into the Use of Force utilized during a car stop, which resulted in the arrest of Travarius Howard, DOB [REDACTED] 1993.

Facts:

Officer Graves narrative:

On 10/31/2018, at approximately 2017 HRS, [REDACTED] stopped a vehicle for excessive sunscreen tint on Fuller Avenue near the intersection with Garfield Street. [REDACTED] conducted a routine check of the vehicle and it's owner prior to approaching it. The vehicle's owner showed gang affiliations through a cross agency check.

After speaking with the owner/operator of the vehicle, Travarius Howard, DOB [REDACTED] 1993, [REDACTED] returned to his cruiser with Mr. Howard's license and the marijuana observed in plain view. [REDACTED] also noted observing a silver folding knife and a pair of black scissors in close proximity to Mr. Howard. [REDACTED] and [REDACTED] with [REDACTED] arrived on scene for backup. [REDACTED] informed both officers of Mr. Howard's gang affiliation and returned to his cruiser to process citations for sunscreen tint and marijuana possession. [REDACTED] took a cover position at the driver's door and [REDACTED] was on the passenger side of the vehicle.

As [REDACTED] was typing the citations, he could hear [REDACTED] telling Mr. Howard to remove his hands from his pockets and Mr. Howard saying he was trying to retrieve his ID. [REDACTED] had Mr. Howard's ID and believed Mr. Howard was trying to access a weapon or destroy additional contraband. [REDACTED] heard and observed [REDACTED] ordering and attempting to extract Mr. Howard from the vehicle. Once Mr. Howard was out of the vehicle, [REDACTED] ordered him to place his hands on the vehicle so he could conduct a "terry pat". [REDACTED] also told Mr. Howard he was to be placed in hand cuffs. When Mr. Howard said he wasn't going to be placed in hand cuffs, [REDACTED] told him he was under arrest.

[REDACTED] and [REDACTED] grabbed Mr. Howard and attempted to take him to the ground. [REDACTED], who had his OC spray in his hand when he got out of his cruiser the second time, attempted to put it away but it fell to the ground while they struggled with Mr. Howard who was resisting their arrest orders. While Mr. Howard was still on his feet but in a bent over position, [REDACTED] issued 2-3 knee strikes to the torso and face. These strikes were effective and they took him to the ground. [REDACTED] alerted the other officers the spray was unsecured on the ground. After resecuring the OC spray, [REDACTED] officer continued to struggle with Mr. Howard. Mr. Howard kept his hands beneath his body, continued to attempt to rise to his feet and refused all orders to stop resisting and to put his hands behind his back. [REDACTED] arrived on scene and began issuing closed fist distractionary strikes to Howard's face area in order to allow [REDACTED] and I to secure Howard in hand cuffs." As [REDACTED] tried to pull Mr. Howard's left arm out from beneath him, Mr. Howard grabbed [REDACTED] duty belt and crotch area of his uniform. [REDACTED] broke away and began addressing the growing number of people arriving on scene.

As the struggle continued [REDACTED] did get the hand cuff on the left wrist but Mr. Howard continued to resist. [REDACTED] issued a "drive stun" with his Taser to Mr. Howard lower back. The struggle continued for a short time longer before they were able to gain control of Mr. Howard and secure the other hand cuff and place him in a cruiser.

Central Falls Police Department
PERSONNEL NARRATIVE FOR [REDACTED]

Page: 3

Ref: 18-14-1A

Entered: 12/04/2018 @ 1027

Entry ID: CH

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Modified ID: CH

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Approval ID: CH

[REDACTED] brought [REDACTED] out to conduct a narcotics sniff of the vehicle for additional contraband. [REDACTED] made a positive indication on the driver's door. [REDACTED] entered the vehicle through the driver's window and indicated on the center console, where the marijuana was previously observed and secured by [REDACTED] and [REDACTED] arrived on scene with [REDACTED] transporting Mr. Howard to the police station.

[REDACTED] narrative:

[REDACTED] arrived on the scene of [REDACTED] car stop to assist. As he arrived [REDACTED] was walking back to his cruiser after speaking with the operator of the vehicle. [REDACTED] was observing the vehicle from the passenger side so he positioned himself at the driver's side to observe. The following is quoted directly from his narrative;

"As I came into contact with the operator I noticed he was talking on his cell phone with his right hand. I asked the male to place the cell phone down so I could speak with him. The male responded "I don't have to yo, I always call my girlfriend when I get arrested". As he was speaking with me his left hand reached into his left pants pocket and he started making furtive movements inside. I told the male to remove his hand from his pocket and he responded "I don't have to yo". The male then reached into the front of his waistband with a closed fist and I told him to stop and show me his hands. He refused to do and so I went to grab his hand as it was in his waistband to remove it because I was not sure if he was trying to conceal or grab some sort of contraband or narcotics or weapon. The male then grabbed my right arm and pushed it away causing the watch on my wrist to break and fall off. I told the male to step out of the vehicle and he refused to comply so I opened his driver's side door so he could get out. He still refused, therefore [REDACTED] and I removed our OC spray from our duty belts and told him we were going to spray him if he does not exit his vehicle and show us his hands. The male refused and I placed the OC spray back into my pouch and went to grab his left arm and pull him out. His seat belt was still on and he refused to remove his seat belt so [REDACTED] opened the passenger's front door, reached into the vehicle and unbuckled him. At this point I was able to get the male out of the vehicle and told him to place his hands on the vehicle so I could pat him down. The male stated "Na you can't search me" and refused to put his hands on the vehicle and allow me to search him. [REDACTED] told the male he was being put in handcuffs for everyone's safety. The male stated "Na you can't do that". At this point we told the male to place his hands behind his back because he is under arrest. He did not give me his hand so I grabbed his right arm and tried to put it behind his back to apply handcuffs to him. He was not complying and kept tucking his hands in front of his body and clenching up. The male was told several times he was under arrest and to stop resisting and place his hands behind his back but he refused to. [REDACTED] came over to assist us and after a brief struggle we ended up on the ground. On the ground the male kept tensing up and did not place his hands behind his back. [REDACTED] noticed there was a large crowd of people yelling around us and went to speak with them. I placed my right knee on the back of the male's neck to secure his head while [REDACTED] attempted to secure him with handcuffs. [REDACTED] and I continued to wrestle with the male and [REDACTED] arrived on scene. The male then flipped from on his stomach and [REDACTED] applied several closed fists strikes to the male's head/face. We were able to get him back onto his stomach and he continued to resist and not follow our verbal commands. [REDACTED] deployed his taser and issued a drive-stun to his lower back. Officers were finally able to secure handcuffs on him.

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PERSONNEL NARRATIVE FOR [REDACTED]

Ref: 18-14-1A

Entered: 12/04/2018 @ 1027

Entry ID: CH

Modified: 01/11/2019 @ 1334

Modified ID: CH

Approved: 12/17/2018 @ 1502

Approval ID: CH

He was searched and nothing was located on his person. He was secured in the rear of cruiser #206. [REDACTED] arrived on scene and I escorted him into the rear of his vehicle, cruiser #205. [REDACTED] transported him to the Central Falls Police station. I went back to the station and assisted [REDACTED] with processing him. During the altercation with officers, Howard behaved in a way that led officers to believe he was attempting to conceal contraband or a weapon. After his behavior tonight and learning of a prior narcotics arrest, [REDACTED] authorized a strip search. The search was conducted in the CFPD finger printing room by myself and witnessed by [REDACTED]. The search had negative results. I observed a small laceration in between the male's eyes that was still bleeding and asked him if he wished to have it cleaned up and he refused."

[REDACTED] narrative:

"...I responded to the area of Garfield Street and Fuller Avenue after [REDACTED] called out with a traffic stop on RI registration YL-155 a 2003 Infiniti blue. When I arrived on scene [REDACTED] advised me the operator /registered owner Travarius Howard, 05-23-93 has potential gang affiliations. I approached the passenger's side of the vehicle while [REDACTED] went back to his patrol car to enter vehicle data into his department issued laptop. When I approached the passenger's side of the vehicle I could smell a strong odor of marijuana coming from inside. I observed in plain view on the passenger's side seat a clear plastic baggie with a residual amount of a green leafy substance I immediately believed to be marijuana and Dutch cigarettes which are used for smoking "blunts". Also while looking inside the vehicle in plain view I observed in the area of the center console (1) pair of scissors and (1) silver pocket knife.

[REDACTED] arrived on scene and spoke to Travarius who was on his cell phone. [REDACTED] advised Travarius to keep his hands where officers could see them. At that time, Travarius placed his left hand in his left sweat pants pocket and then towards his waste band. Due to Travarius' furtive movements and Officer Safety reasons [REDACTED] requested Travarius to exit the vehicle which he refused and continued talking on his phone. At that point [REDACTED] attempted to grab his left hand to remove it from his waist band. Travarius pushed [REDACTED] hand away from his waist band. [REDACTED] opened the driver's side door and attempted to forcefully removed him from the driver's seat. I opened the passengers side door and hit the seat belt release button in order to allow [REDACTED] to get Travarius out of the driver's seat. Once outside the vehicle [REDACTED] attempted to place Travarius's hands on the vehicle. At that time, verbal orders were given by [REDACTED] to Travarius to place his hands behind his back to secure hand restraints on him. Travarius stated "No I dont have to do that." At that time, I ran around to the other side of the vehicle attempting to subdue Travarius as he began to fight with officers. [REDACTED], [REDACTED] and [REDACTED] took Travarius to the ground attempting to place him under arrest. Travarius struggled with officers while he was on the ground. I landed (3) knee strikes to the side of his torso while officers attempted to place hand restraints on him. Travarius continued to resist and fight officers as he continued to tense his arms up and tuck them under his body towards his waist band.

Due to a crowd gathering and (2) females running towards officers yelling Travarius's name I disengaged from the struggle and focused my attention on the females and the crowd gathering. I had to give several verbal commands to the females, one being Travarius's girlfriend to back away from the area which they refused to do. I once again advised the females to move away from the area or they would be arrested. They moved from the area moments later. Travarius was taken into custody by officers while I dealt with the gathering crowd. Travarius was secured in patrol car 206.

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PERSONNEL NARRATIVE FOR [REDACTED]

Ref: 18-14-1A

Entered: 12/04/2018 @ 1027

Entry ID: CH

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Modified ID: CH

Approved: 12/17/2018 @ 1502

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Due to smell of marijuana, I removed [REDACTED] from car 210 to conduct a narcotic sniff of RI registration YL-155. [REDACTED] arrived at the driver's side door and jumped into the open driver's side window. [REDACTED] began an interior sniff of the vehicle, he made several positive indications for narcotic odor by scratching at the center console the clear plastic baggie I observed in plain view and underneath the passenger's side front seat. I removed [REDACTED] from the interior of the vehicle once he completed his "sniff".

I started [REDACTED] exterior sniff at the driver's side rear door. [REDACTED] arrived at the front passenger's side door and jumped through the open window, he began to scratch at the passenger's side front seat where the clear plastic baggie he indicated on earlier. I removed [REDACTED] from the interior once again. I had [REDACTED] complete his exterior sniff, he did not make any positive indications for narcotic odor while conducting the remainder of his exterior sniff. [REDACTED] was removed from the area and secured in car 210.

Officers checked the areas where [REDACTED] made his positive indication for narcotic odor, all that was located was small pieces of suspected marijuana scattered through the vehicle.

CFFD later responded to the cell block and treated Travarius for a minor laceration to his forehead. No further treatment was rendered."

[REDACTED] narrative:

"...I approached I saw two police vehicles at the intersection and once I was in the intersection I saw [REDACTED], [REDACTED] and [REDACTED] grappling with a male in the street and taking him to the ground. I immediately exited my vehicle and ran towards them to assist in securing the suspect in handcuffs. As I approached I saw the male keep his arms away from officers and attempt to get back on his feet. As this occurred I heard officers give verbal commands to the suspect to stop fighting. He continually refused all commands and was actively resisting.

I got on top of the suspect and began to strike his head/face with my right hand with a closed fist and my right elbow in an attempt to gain compliance. The suspect attempted to shift from his side to his back and also tried to get on his knees. He yelled "I'm not fighting" but continued to keep his arms underneath him, covering his face and later spread rigidly out in front of him as officers attempted to put them behind his back. [REDACTED] was able to gain control and handcuff the suspect's left hand. At this time I deployed my Taser (X13003AR5) and drive-stunned him on his lower back for approximately 5 seconds. At this time officers gained control of his right arm and secured him in handcuffs. After he was secured I noticed a large crowd had gathered in the intersection. I got the suspect up and walked him over to vehicle 206. On the side walk next to the rear right door of the vehicle the male went limp and fell forward out of my grasp and onto the ground. At this time people in the crowd became more vocal. I lifted the suspect up and secured him in the rear of 206. I remained with the vehicle and suspect as officers searched the suspects vehicle, RI reg. YL-155, and addressed the crowd."

[REDACTED] narrative:

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PERSONNEL NARRATIVE FOR [REDACTED]

Ref: 18-14-1A

Entered: 12/04/2018 @ 1027

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Modified: 01/11/2019 @ 1334

Modified ID: CH

Approved: 12/17/2018 @ 1502

Approval ID: CH

[REDACTED] heard the call for service and responded to the scene after a few minutes when he discovered officers had been in a physical altercation while on scene. Once on scene, he noted the vehicle was unoccupied and smelled of marijuana, several people were gathered with some yelling and the former occupant of the vehicle was under arrest and in cruiser #206. He learned from the officers of their altercation with the occupant, Mr. Howard and they thought he was trying to conceal something. He witnessed [REDACTED] "sniff" the vehicle. He spoke with Mr. Howard and transferred him to another cruiser for transport to the station. He ordered [REDACTED] to go to the hospital to get his hand checked. Based on the marijuana found on scene, Mr. Howard's actions and a previous narcotics offense with the RISP, [REDACTED] authorized a strip search, which was negative.

[REDACTED] narrative:

"...Upon arrival, Officers had a male in the back of cruiser 206 placed under arrest. Officers on scene were searching the vehicle. (Refer to [REDACTED] personal narrative for further information). The Supervisor in charge, [REDACTED] requested for me and [REDACTED] to transport the male in and pat him down and wait for further instruction. [REDACTED] along with myself transferred the male, identified as Travarius Howard (DOB: [REDACTED] 93) into cruiser 205.

I transported the male to the police station. I then secured my weapon in a weapon's locker. I searched Travarius thoroughly in the processing room, and the outcome was negative. Travarius was then placed in the processing cell until [REDACTED] authorized a strip search based on the circumstances involving the motor vehicle stop and arrest. [REDACTED] and I, had Travarius strip search and the outcome was negative.

I booked and processed Travarius and placed him in men's holding cell # 3. Not once did Travarius request medical attention. I encouraged Travarius to at least get himself cleaned up in the bathroom as visible blood is seen on his forehead; however, Travarius refused complete treatment."

On November 1st, 2018, Mr. Howard was brought to 6th District Court by [REDACTED]. He was arraigned in that court and plead guilty/nolo contendere to Obstructing Officer in Execution of Duty, Resisting Arrest, and two counts of Simple Assault. He received one year's probation and one year's suspended sentence in lieu of his plea agreement as well as the Disorderly Conduct and Weapons Other than Firearms charges being dismissed.

On November 8th, 2018, Central Falls [REDACTED] provided copies of two rescue runs by their personnel to evaluate and/or treat Mr. Howard. According to their report, the first interaction with Rescue and Mr. Howard was on October 31st, 2018, at 2343 HRS, with their evaluation/treatment completed at 2352 HRS. This report reads aid given or received was none and their primary action taken was investigate, but in the narrative, it reads they cleaned out a scrape for police. Rescue was called and responded again for Mr. Howard at 0707 HRS on November 1st, 2018 with them clearing at 0713 HRS. According to their report, aid given or received was none and their primary action taken was emergency medical services, other. The narrative for this report read rescue provided a 902 report to police for inmate going to court.

On November 12th, 2018, I received a Citizen Complaint Form from Travarius Howard, DOB [REDACTED] 1993, (401-952-2676) alleging excessive use of force, property damage and a lack of medical care once in custody. The following is an exact transcription of his allegations:

"On Wed. Oct 31st 2018 I was driving through central falls to go to a friends house. I got pulled over for

Central Falls Police Department
PERSONNEL NARRATIVE FOR [REDACTED]
Ref: 18-14-1A

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Entered: 12/04/2018 @ 1027

Entry ID: CH

Modified: 01/11/2019 @ 1334

Modified ID: CH

Approved: 12/17/2018 @ 1502

Approval ID: CH

my tinted windows. Once officer made the stop three other police vehicles pulled up to the stop as well. The officer who pulled me over was still in vehicle when suddenly a rookie cop comes by aggressively and shouts for me to get off my cellphone. Then from there the officer showed tremendous aggression and broke his g-shock watch. He became infuriated and then tried to threaten me with mace and resisting arrest. I refused to be jailed for a traffic stop and said officer began to subdue me aggressively. The officer threw punches to the back of my head and temple. I couldn't breathe thus resistance was caused due to discomfort. While this was happening said officer then got on top of my back while I was chest down prone position and curb stomped/bashed my forehead into cement, gravel, and glass.

I seen stars and continued to be assaulted by said officer and was even tazed twice. I was then dropped walking to police cruiser. After this I witnessed the k-9 dog clawing at the side of my car and the cop neglecting to open the door for the dog. He lifted the dog threw the window thus scratching and leaving property damage. I have pictures as well.

Once I got to station I was hounded and asked personal questions harrasing me about alleged drugs I have never been arrested for. Several hours then went by and I wasd not checked by rescue for a concussion. Once rescue finally came I was not checked for a concussion or other injuries. I just don't think it's fair someone can be assaulted like that by people who are supposed to protect you. I haven't gotten a good night sleep in days and I am still dealing with injuries."

Mr. Howard lists Jezebel B. (his girlfriend, 401-500-[REDACTED] and Neisha Echevarria (401-548-[REDACTED] as witnesses to these allegations. The officers listed on the complaint form are: youngest blue eyes I have pictures, dept 401 id 32 [REDACTED] and [REDACTED].

On November 26th, 2018, I mailed Mr. Howard a letter of response and acknowledgement of his complaint by placing the sealed envelope in our outgoing mail tray in Dispatch.

On December 17th, 2018, I called Mr. Howard and left a message with his cousin who answered Mr. Howard's phone and told me Mr. Howard just went into the store and he'd get right back to me.

As of 01/09/2019, I have not heard from Mr. Howard. The letter mailed to him did not "return to sender" and the phone number was active.

Findings:

The primary officers involved [REDACTED] were consistent with their recollections of what occurred on the scene of this incident. All four officers documented their involvement with Mr. Howard and the incident as a whole. Their individual usage of force varied in its application and its compliance regarding proper protocols and accepted procedures. [REDACTED] and [REDACTED] were the cover officers as [REDACTED] returned to his cruiser to type citations. At some point in time during the incident, [REDACTED] decided to engage in a discussion with Mr. Howard. The conversation escalated to where [REDACTED] and [REDACTED], who could hear the conversation, felt Mr. Howard needed to be removed from the vehicle. It was during this time the interactions escalated and the use of force to gain compliance was necessary.

There were three officers involved with using force against Mr. Howard at this time. Based on his statement, [REDACTED] applied proper use of force to assist in gaining compliance with Mr. Howard. He issued tactical strikes to soft tissue areas of the body. At no time during [REDACTED] physical engagement with Mr. Howard did Mr. Howard comply with any physical or verbal demands. He then disengaged and dealt with the growing crowd. [REDACTED] arrived on scene prior to [REDACTED] disengaged and he assisted with Mr. Howard. [REDACTED] tried to physically place Mr. Howard under arrest and began wrestling with him when

Central Falls Police Department

PERSONNEL NARRATIVE FOR [REDACTED]

Page: 8

Ref: 18-14-IA

Entered: 12/04/2018 @ 1027

Entry ID: CH

Modified: 01/11/2019 @ 1334

Modified ID: CH

Approved: 12/17/2018 @ 1502

Approval ID: CH

Mr. Howard did not comply. He did not move to any tools or strike Mr. Howard, but when the officers had Mr. Howard face down on the ground, [REDACTED] used his knee on the back of Mr. Howard's neck to secure his head as [REDACTED] tried to put handcuffs on Mr. Howard. [REDACTED] also noted Mr. Howard refused to comply with all of his verbal commands and continued to struggle with all officers until after the Taser was used against him.

[REDACTED] had removed his pepper spray from his duty belt, but never used it. He did drop the spray when officers began to struggle with Mr. Howard. [REDACTED] issued 2-3 knee strikes to the face and torso as they struggled with Mr. Howard before he went to the ground. [REDACTED] did secure his pepper spray can and continued to wrestle with Mr. Howard until he was secured in handcuffs.

[REDACTED] arrived on scene when the other three officers were already struggling with Mr. Howard. He began issuing closed fist strikes to the face and head to assist the other officers in gaining compliance. [REDACTED] described [REDACTED] use of force at this point as "distractionary strikes to Howard's face area". When these techniques were not working, [REDACTED] issued drive stuns from his Taser and compliance was gained and Mr. Howard was placed in handcuffs. [REDACTED] noted Mr. Howard kept saying he was not fighting, but he would not comply with any orders by keeping his arms underneath himself and making his body rigid when attempts and commands were made to put him in handcuffs.

When Mr. Howard was secured in handcuffs and the struggle had ended, [REDACTED] was called to the scene. [REDACTED] reviewed and approved each officer's narrative for what occurred.

Mr. Howard's lack of cooperation in this investigation has not enabled me to confirm or deny the claims he made against the officers involved. Additionally, he refused treatment from Rescue personnel twice, yet he was still seen by Rescue personnel that evening and in the morning. There was no mention from these trained medical personnel about any signs of a concussion.

However, based on his statement and those provided by the officers involved, some conclusions can be reached. [REDACTED] kneeling on the back of Mr. Howard's neck, [REDACTED] knee strikes to the face and [REDACTED] closed fist strikes to the face and head are not in conjunction with approved practices when dealing with a resistant subject in this situation. There were at least three and sometimes four officers physically dealing with Mr. Howard. Under the circumstances the officers themselves presented, potential lethal force type strikes to the parts of the body which are not approved under the current use of force guidelines, were not warranted. [REDACTED] strikes to the torso and [REDACTED] use of his Taser were within the guidelines and therefore acceptable uses of force. Of note, Mr. Howard refused to comply with all commands to do so. By Mr. Howard's own admission in his complaint, "I refuse to be jailed for a traffic stop..." and thus continued to resist arrest and obstruct officers in the execution of their duty. Both criminal offenses he plead guilty in 6th District Court.

There is no evidence to support Mr. Howard's claims against the [REDACTED] damaging his vehicle, as well as no evidence support any of his claims after being transported to the police station or while at the police station. He was treated by Rescue personnel twice and none of his medical claims have any evidentiary support.

Conclusion:

Use of Force Policy (200.03) - [REDACTED] and [REDACTED] did exceed the necessary level of force set forth in this policy. [REDACTED] did not exceed the necessary level of force set forth in this policy.

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Investigative Report

Page: 1
01/31/2019

Case #: 18-4-IA

Date/Time Reported: 03/15/2018 @ 0942
Report Date/Time: 04/23/2018 @ 1200
Occurred Between: 11/20/2017 @ 1500
And: 12/29/2017 @ 1340
Complaint Type: Civilian
Disposition: Not Sustained
Additional Cases: 17-1713-OF

Reporting Officer: Captain CRAIG HORTON

Signature: _____

#	OFFENSE(S)	A/C	TITLE/CHAP	SECTION
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LOCATION TYPE: Government/Public Building Zone: ZONE 1
160 ILLINOIS ST
CENTRAL FALLS RI 02863

1	COURTESY	C	II	7A
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OCCURRED: 11/20/2017 1500

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
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1	[REDACTED] RICHLAND ST Apt. CENTRAL FALLS RI 02863 DOB: [REDACTED] 1992 CONTACT INFORMATION: Home Phone (Primary) 774-707-[REDACTED] ETHNICITY: Not of Hispanic Origin RESIDENT STATUS: Resident VICTIM CONNECTED TO OFFENSE NUMBER(S): 1 RELATION TO: [REDACTED]	F	W	[REDACTED]	NOT AVAIL	774-707-[REDACTED]
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Otherwise Known

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
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1	[REDACTED] RICHLAND ST Apt. CENTRAL FALLS RI 02863 DOB: [REDACTED] 1992 CONTACT INFORMATION: Home Phone (Primary) 774-707-[REDACTED]	COMPLAINANT	F	W	[REDACTED]	[REDACTED]	774-707-[REDACTED]
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#	OFFICER(S)	SEX	RACE	AGE	SSN	PHONE
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1	[REDACTED] 160 ILLINOIS ST CENTRAL FALLS RI 02863 CONTACT INFORMATION: Home Phone (Primary) 401-727-[REDACTED] Work Phone (Primary) 401-727-[REDACTED]	M	W	[REDACTED]	[REDACTED]	401-727-[REDACTED]
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BODY: NOT AVAIL.

DOB: [REDACTED]

LICENSE NUMBER: [REDACTED]

COMPLEXION: NOT AVAIL.

PLACE OF BIRTH: NOT AVAIL.

ETHNICITY: [REDACTED]

Central Falls Police Department
NARRATIVE FOR CAPTAIN CRAIG P HORTON

Page: 1

Ref: 18-4-1A

Entered: 04/25/2018 @ 1021

Entry ID: CH

Modified: 09/19/2018 @ 1148

Modified ID: CH

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On 03/15/2018, [REDACTED] forwarded an email he received from [REDACTED] 992, concerning a complaint she had about how she was treated by [REDACTED]. In the email to [REDACTED] states she "sent the complaint requirements on the Central Falls Police Department website." I checked with [REDACTED] to ensure he had not received the complaint in error. When he said he had not and he checked the website, it was discovered complaints were sent to [REDACTED]. All of [REDACTED] emails were set to be forwarded to me, but I had not received anything from [REDACTED]. I met with [REDACTED] to check if the email went to [REDACTED] spam folder, which it had not. We checked through the system and no complaint email had been sent to the Central Falls PD by [REDACTED].

On 04/23/2018, at approximately 1525 HRS, I sent [REDACTED] an email to check if she was still interested in filing a complaint against [REDACTED].

On 04/24/2018, at 0956 HRS, she replied she still wanted to file the complaint. A couple emails later, we confirmed she would come in to speak with me on 04/26/2018 at 1300 HRS. She requested she would be accompanied by [REDACTED].

On 04/26/2018, at 1052 HRS, I received an email from [REDACTED] which said [REDACTED] had a scheduling conflict and would not be there, so she wanted to reschedule when [REDACTED] was available. Her email read, "Today I and [REDACTED] have an appointment to see you at 1pm, we will not be able to make it; [REDACTED] as a mandatory meeting this afternoon. [REDACTED] and I will coordinate schedules to reschedule an appointment for next week." At approximately 1145 HRS, I saw [REDACTED] in the hallway and asked about her involvement with this investigation. She said she did have a conflict today, but she was also advised by her supervisor that she should not be involved in these types of complaints. [REDACTED] said she advised [REDACTED] to seek an alternate source of support for this investigation.

On 06/26/2018, I received a voice mail from an Attorney [REDACTED] who stated he was now representing [REDACTED] with this investigation and wanted to schedule an interview date. This case was set to be closed due to a lack of cooperation with the complainant, but that was retracted when this voice mail was received. Therefore, an extension was requested by myself to [REDACTED] to complete this investigation.

On 07/05/2018, I spoke with [REDACTED] and we scheduled an interview with [REDACTED] on 07/20/2018 at 1200 HRS.

On 07/20/2018, [REDACTED] and [REDACTED] responded to my office for a follow-up interview to her complaint narrative she supplied to [REDACTED] which was forwarded to me. During my interview of [REDACTED] along with [REDACTED] nothing new was discovered which was not covered in her complaint narrative.

The following is a synopsis of the complaint narrative [REDACTED] alleged concerning [REDACTED]

During her first interview on 11/20/2017, [REDACTED] alleges [REDACTED] was "rude, skeptical, and hostile towards me. He continuously accused me of things that were not true, such as saying that all I was trying to do was "get back" at the person who assaulted me." As they were leaving the detectives office area, [REDACTED] alleges [REDACTED] asked her to let him know if she was going to change her mind about her willingness to have sex with the alleged suspect.

[REDACTED] was called in for a second interview on 12/04/2017 after [REDACTED] interviewed the alleged suspect. [REDACTED] brought a friend with her to the interview because she felt, " [REDACTED] has created an uncomfortable and hostile environment for me to feel safe to be interviewed alone." [REDACTED] would not allow this friend to accompany [REDACTED] for the interview and they rescheduled the second interview on 12/08/2017 with [REDACTED] to be present. [REDACTED] alleges she was never told she could have [REDACTED] with her during the course of the investigation and it breached protocol. During this second interview [REDACTED] present, [REDACTED] alleges, [REDACTED] was even more hostile

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and aggressive with me. His behavior was arrogant, judgmental and unprofessional. [REDACTED] threatened that I would be charged with a crime for filing a false police report as well."

On 12/29/2017, [REDACTED] responded to the Central Falls PD again this time to drop the case. She brought her friend with her again and again was told the friend was not allowed to accompany her. [REDACTED] was working at the time and accompanied [REDACTED] and [REDACTED] to the interview room. [REDACTED] was alleged [REDACTED] and [REDACTED] had a conversation [REDACTED] while en route to the interview room. [REDACTED] felt this was unprofessional because she does not [REDACTED] old [REDACTED] she was dropping the case because of his treatment of her during the process.

The initial interview of [REDACTED] alone with [REDACTED] the second interview of [REDACTED] with [REDACTED] present as well as the final interview whereby [REDACTED] drops the case in the presence of [REDACTED] are all video and audio recorded. I watched all four (4) interviews and my opinion of what I witnessed will be addressed in the conclusion portion of this report.

I was unable to speak with [REDACTED] about this complaint until [REDACTED] because he was out of work for an extended period of time unrelated to this investigation. When I did speak with [REDACTED] in the presence of his union representative, Central Falls FOP Lodge #2 [REDACTED] he provided his recollection of the interactions with [REDACTED]

Synopsis of [REDACTED] Interview:

[REDACTED] initial observations prior to and during the first interview showed him there were several inconsistencies between what she was saying and what she originally told officers the night she filed the complaint. Due to those inconsistencies, his line of questions centered on the discrepancies in what she was saying and what she originally told officers. [REDACTED] became frustrated with him and he felt he needed to tell her he did not want to help put someone in jail who did not commit a crime. The interview with the alleged suspect supported some of what [REDACTED] said, but not anything criminal. The suspect had a more clear recollection of the night with [REDACTED] than [REDACTED] was telling [REDACTED]. The alleged suspect was able to clarify many things [REDACTED] could not clarify herself.

When [REDACTED] brought a friend to accompany her to the second interview, [REDACTED] did not feel it was appropriate to allow a friend to become part of a case, especially an alleged first degree sexual assault. [REDACTED] was able to accompany her to the next interview. [REDACTED] had spoken to [REDACTED] prior to interviewing [REDACTED] the first time as well as after the second interview [REDACTED] was involved. [REDACTED] said [REDACTED] never spoke to him about any inappropriateness throughout the course of the interview process. [REDACTED] does not speak at all during the video/audio taping of the interview, except at the end when [REDACTED] gets up to leave.)

[REDACTED] said, at no time did he encourage [REDACTED] to drop the case, or ask her to contact him if she changed her mind about her willingness to have sex with the alleged suspect. He does not feel he treated her poorly, but he did not believe her story due to all the inconsistencies. He does not think he had any conversation [REDACTED] when walking with [REDACTED] and [REDACTED] the interview room on her third interview. [REDACTED] felt he acted appropriately under the given circumstances.

On 09/17/2018, I spoke with [REDACTED]. I asked her if she still had any contact with [REDACTED]. She spoke with her supervisor [REDACTED] who responded to me via email. [REDACTED] informed me she tried to reach out to [REDACTED] and discovered [REDACTED] is out of the country for the foreseeable future and her phone is not accepting calls. No one on her staff knows when she may return.

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I also spoke with [REDACTED] concerning her interactions with [REDACTED] and [REDACTED] on the date she dropped the complaint. [REDACTED] remembered the day in question. She said [REDACTED] did not act inappropriately in her presence. Also, [REDACTED] did not have a conversation utilizing [REDACTED] while [REDACTED] was present.

Findings:

After reading the initial complaint narrative and listening to [REDACTED] repeat her complaint to me in person, I followed-up my investigation by analyzing the initial complaint made by [REDACTED] to [REDACTED]. I also watched the three video/audio recordings with [REDACTED] and [REDACTED] as well as the video/audio recording with the alleged suspect. I interviewed [REDACTED] and [REDACTED] and tried to make contact with [REDACTED].

During the initial interview between [REDACTED] and [REDACTED] it was apparent in [REDACTED] words and style of interview that he did not believe [REDACTED] version of what occurred on the night in question between she and her alleged suspect. [REDACTED] could have shown more empathy with his style of interview but he did not violate any laws, policies, procedures, rules or regulations. Throughout the first two interviews, [REDACTED] repeatedly spoke of a lost spaces of time whereby clothing came off and they began having sex. She also didn't remember how they got to the bedroom. At no time during the interviews with [REDACTED] did she explain, or even mention, when she said "no" to having sex with the alleged suspect. She just kept repeating to [REDACTED] "no" means "no". She mentions once in her original report that she told him "no" but does not say when she said "no", why she said "no" or what he did or did not say during this statement of "no". [REDACTED] interview of the alleged suspect filled in a lot of the "lost moments in time" by [REDACTED] but his version of their evening together was far more detailed. When [REDACTED] questioned [REDACTED] during their second interview based on information he received from the alleged suspect, [REDACTED] became even more frustrated and flustered than she did during the first interview and she got up and left. The final interview with [REDACTED] present was only a recording of [REDACTED] coming in to drop the complaint and blame the dropping of her complaint on [REDACTED].

Conclusion:

1. Rules and Regulations, Chapter II, Section 7 (a) COURTESY: In which it is alleged that on November 20, 2017, December 8, 2017, & December 29, 2017, your interactions were discourteous to an alleged victim. **NOT SUSTAINED**